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(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To ensure fairness and transparency in the processes used by the Navy to award contracts for ship maintenance and repair, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. PETERS introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To ensure fairness and transparency in the processes used by the Navy to award contracts for ship maintenance and repair, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Smart Ship Repair  
5 Act of 2023”.

1 **SEC. 2. LIMITATION ON USE OF GOVERNMENT-OPERATED**  
2 **DRYDOCKS.**

3 The Secretary of the Navy shall ensure that no Gov-  
4 ernment-operated drydock is eligible to compete for the  
5 award of a contract for private sector non-nuclear surface  
6 ship maintenance unless the Secretary determines, in ac-  
7 cordance with section 2466 of title 10, United States  
8 Code, that there is not sufficient private sector dock com-  
9 petition.

10 **SEC. 3. STUDY ON PRICE DIFFERENTIALS USED IN NAVY**  
11 **SHIP REPAIR SOLICITATIONS.**

12 (a) IN GENERAL.—Subject to the availability of ap-  
13 propriations, the Secretary of the Navy shall seek to enter  
14 into an agreement with a federally funded research and  
15 development center to conduct a study to assess whether  
16 relevant price differentials used by the Navy in ship repair  
17 solicitations accurately reflect the true market value of the  
18 activity undertaken to complete the repair work involved  
19 in the absence of any such differential.

20 (b) ELEMENTS.—The study under subsection (a)  
21 shall address all relevant price differentials used by the  
22 Navy in ship repair solicitations, including—

- 23 (1) the use of government owned and operated  
24 dry docks;  
25 (2) the use of inter-port differentials; and  
26 (3) the use of pier differentials.

1 (c) REPORTS.—

2 (1) FFRDC REPORT.—The federally funded re-  
3 search and development center that conducts the  
4 study under subsection (a) shall submit to the Sec-  
5 retary of the Navy a report on the results of the  
6 study.

7 (2) SUBMITTAL TO CONGRESS.—Not later than  
8 September 30, 2024, the Secretary of the Navy shall  
9 submit to the congressional defense committees an  
10 unaltered copy of the report received by the Sec-  
11 retary under paragraph (1) together with a separate  
12 statement of the views of the Secretary on the re-  
13 sults of the study conducted under subsection (a).

14 **SEC. 4. REPORT ON NAVY POLICY FOR SOLICITING**  
15 **COASTWIDE BIDS FOR CERTAIN REPAIR**  
16 **AVAILABILITIES.**

17 (a) IN GENERAL.—Not later than March 30, 2024,  
18 the Secretary of the Navy shall submit to the congres-  
19 sional defense committees a report on the policy of the  
20 Navy for soliciting coastwide bids for repair availabilities  
21 longer than 10 months.

22 (b) ELEMENTS.—The report under subsection (a)  
23 shall explain and assess each of the following:

24 (1) The intent of the policy described in sub-  
25 section (a).



1           (2) for each such instance, provides an expla-  
2           nation of the reasons the Navy used a Government  
3           dock rather than a private dock.

4 **SEC. 6. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.**

5           In this Act, the term “congressional defense commit-  
6           tees” has the meaning given that term in section  
7           101(a)(16) of title 10, United States Code.